



PUBLIC NOTICE

Federal Communications Commission
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DA 02-3582
December 23, 2002

COMMENTS INVITED ON TALKINGNETS HOLDINGS, LLC APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

Comp. Pol. File No. 626
Comments Due: January 7, 2003

Section 214 Application **Applicant: TalkingNets Holdings, LLC**

On December 17, 2002, **TalkingNets Holdings, LLC** (TalkingNets or Applicant) located at **1111 Military Cutoff Rd., Suite 221, Wilmington, NC 28405** filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended,¹ and section 63.71 of the Commission's rules,² to discontinue the provision of telecommunications services in the State of Colorado.

The application indicates that TalkingNets intends to discontinue providing local, long distance, international, toll free service, and data services to business customers in Colorado. TalkingNets provided written customer notice by letters dated December 6, 2002 and December 17, 2002 to customers in Colorado. TalkingNets plans to discontinue its telecommunications services in Colorado on or about January 17, 2003.

In accordance with section 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified Applicant that the grant will not be automatically effective.³ Accordingly, pursuant to section 63.71(c), TalkingNets cannot legally terminate service to its customers until at least the thirty-first day after the release of this Public Notices, in this case, January 23, 2002.⁴ The Commission will normally authorize proposed discontinuances of service unless it

¹ 47 U.S.C. § 214(a).

² 47 C.F.R. § 63.71.

³ 47 C.F.R. § 63.71(c)

⁴ 47 C.F.R. § 63.71(c).

is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission's *ex parte* rules.⁵ Pursuant to sections 1.415 and 1.419 of the Commission's rules,⁶ interested parties may file comments on or before **January 7, 2003**. Such comments should refer to **Comp. Pol. File No. 626**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. The original and four (4) copies of the comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554, Attention: Carmell Weathers. In addition, Comments should be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at qualexint@aol.com. For further information, contact Carmell Weathers, (202) 418-2325 (voice), cweather@fcc.gov, or John Adams (202) 418-0394 (voice), jkadams@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud

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⁵ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

⁶ 47 C.F.R. §§ 1.415, 1.419.